



**DEPARTMENT OF
CHILDREN AND FAMILY SERVICES
AND
THE PROBATION DEPARTMENT
REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)
FOR
FOSTER CARE PLACEMENT SERVICES
FOSTER FAMILY AGENCY
SHORT-TERM RESIDENTIAL THERAPEUTIC PROGRAM**

RFSQ #CMS-17-0016/0017

**Prepared By
County of Los Angeles
Department of Children and Family Services
Contracts Administration Division**

August 9, 2021

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REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)
FOSTER CARE PLACEMENT SERVICES
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1.0 INTRODUCTION

1.1 Preamble

The County of Los Angeles (County) seeks to collaborate with its community partners to enhance the capacity of the health and human services system to improve the lives of Department of Children and Family Services (DCFS) children, Probation Department (Probation) youth, Non-Minor Dependents (NMDs), and families. These efforts require, as a fundamental expectation, that the County's contracting partners share the County and community's commitment to provide health and human services that support achievement of the County's Strategic Plan, Mission, Values, Goals, and Performance Outcomes.

The County's vision is a value driven culture, characterized by extraordinary employee commitment to enrich lives through effective and caring services, and empower people through knowledge and information. This philosophy of service excellence is anchored in the County's shared values of: 1) Integrity; 2) Inclusivity; 3) Compassion; and 4) Customer Orientation.

These shared values are encompassed in the County's Strategic Plan's three Goals: 1) Make Investments that Transform Lives; 2) Foster Vibrant and Resilient Communities; and 3) Realize Tomorrow's Government Today.

Improving the well-being of children, youth, NMDs, and families requires coordination, collaboration, and integration of services across functional and jurisdictional boundaries, by and between County departments/agencies and community and contracting partners.

1.2 Purpose

The purpose of this Request for Statement of Qualifications (RFSQ) is to seek a pool of qualified licensed contractors to enter into Master Contracts

with the County to provide Foster Care Placement Services (FCPS) for the following programs: 1) Foster Family Agency (FFA); and 2) Short-Term Residential Therapeutic Program (STRTP). The proposed contract term is for the effective option period of this RFSQ and any remaining optional renewal period(s) through December 31, 2023, with the possibility to extend for additional years as necessary with approval from the State of California Department of Social Services (CDSS).

1.3 Mission Statements

1.3.1 The DCFS Vision, Mission, and Values are as follows:

- Vision: Children thrive in safe families and supportive communities.
- Mission: DCFS practices a uniform service delivery model that measurably improves: Child safety, Permanency, and Access to effective and caring services.
- Values: Cultural Sensitivity, Leadership, Accountability, Integrity, and Responsiveness.

1.3.2 The Probation Vision, Mission, and Core Values are as follows:

- Vision: Rebuild lives and provide for healthier and safer communities.
- Mission: Enhance public safety, ensure victims' rights, and effect positive probationer behavioral change.
- Core Values: We fundamentally subscribe to the fair and impartial administration of justice and embrace the following values:
 - Dignity and respect for our clients, public and employees.
 - Integrity to do the right things for the right reasons – all of the time.
 - Leadership to develop an organization that is sustainable and will attain national prominence.
 - Rehabilitation is founded in a belief that people have the ability to transform into law-abiding individuals.
 - Contribution of everyone is valued and everyone has the opportunity to perform to their highest potential.

- Commitment to providing service excellence to achieve positive outcomes for healthy families and communities.
- Collaboration by working with others to maximize efforts and achieve positive results.
- Evidence-based practices and policies as a way of assuring that our best efforts are leading to desired outcomes.

1.4 Target Demographics

1.4.1 Target Demographics for FFA

The target demographics for the FFA Program are children, youth and NMDs, 0-21 years old, in need of a temporary or permanent family setting. The principle target groups include children, youth and NMDs in which the case plan is for: 1) family reunification; 2) adoption; 3) legal guardianship; 4) permanent placement; 5) sibling group placement; 6) teen parents and their children; 7) neighborhood and school based placement; 8) self-sufficiency; 9) children, youth and NMDs with special health care needs as defined in Title 22, Article 7 – Requirements for Specialized Resource Families.

1.4.2 Target Demographics for STRTP

The target demographics for the STRTP are children, youth and NMDs, 12-21 years old, who require a structured program and closer supervision than is usually provided in a resource family home setting. The principal target demographics include children, youth and NMDs in which the Case Plan is for: 1) family reunification, 2) adoption, 3) legal guardianship, 4) permanent placement, 5) sibling group placement, 6) teen parents and their children, 7) neighborhood and school-based placement, 8) self-sufficiency, and 9) children youth and NMDs with special health care needs as defined in WIC Section 17710(a).

1.5 Funding

- 1.5.1 This contract will be funded with Title IV E, funds paid pursuant to Rates established for Aid to Families with Dependent Children-Foster Care (AFDC-FC) programs, under the Catalog for Federal Domestic Assistance (CFDA) Number 93.658, and the California Welfare and Institutions Code (WIC) sections 11460.

- 1.5.2 Qualified Prospective Contractors will be considered sub-recipients insofar as compliance with Office of Management and Budget in accordance with 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- 1.5.3 Funding shall be in accordance with the Term, Invoices and Payments, and Use of Funds sections in Appendix F, G, H, I, and J, Sample FCPS Master Contracts, upon satisfactory demonstration of compliance with contractual requirements, as described in: (a) Appendix F, G, H, I, and J; (b) availability of State and/or Federal funds; and (c) approval of funding each year by the Board of Supervisors (Board).
- 1.5.4 All Prospective Contractors, their Principals or Affiliates or any subcontractors that receive federal funds under this contract must be in good standing with the federal government per Executive Order 12549, 7 CFR Part 3017, 45 CFR Part 76, and 2 CFR 200.212 Subpart C.

1.6 Family First Prevention Services Act

On October 1, 2021, the Family First Prevention Services Act (FFPSA) became operative and continued to reform the entire continuum of the child welfare system in California, focusing on providing services to prevent children from entering the foster care system and to improve the well-being of the children already in the system. Goals of the FFPSA reform include increasing the use of home based family care, reducing reliance on congregate care, and using integrated services to meet the needs of all children, youth and NMDs. Congregate care should be limited to short-term, therapeutic interventions. Collaboration between providers, child welfare, mental health, probation, and education is essential for the provision of integrated services.

FFPSA is built around three fundamental principles: 1) Help families whose children are at risk of removal stay together safely, 2) Ensure that children in foster care can live safely in a family-based setting, and 3) Improve access to high quality residential treatment.

2.0 GENERAL INFORMATION

2.1 Scope of Work

The County (DCFS and Probation) seeks qualified licensed service providers to enter into Master Contracts with the County to provide FCPS for any of the following programs:

- FFA
- STRTP

FFAs will recruit, train, and approve resource families who provide out-of-home care in a family home setting for the population of children, youth and NMDs who are supervised by DCFS and Probation.

STRTPs will provide short-term, specialized, intensive treatment, and 24-hour care and supervision to the population of children, youth and NMDs who require a more structured environment than can be provided in a family home setting.

Placements for all programs shall be made primarily within Los Angeles County and in adherence to applicable sections of the State WIC and Title 22. Placements into other contiguous counties shall be made upon need.

Prospective Contractors may submit a Statement of Qualifications (SOQ) for either program. Prospective Contractors must indicate the program(s) they are attempting to qualify for on the Contractor's Organization Questionnaire/Affidavit (reference Sub-section 3.7, Preparation and Format of the SOQ, Paragraph 3.7.3).

2.2 Overview of Solicitation Document

This RFSQ is composed of the following parts:

- **SECTION 1.0 – INTRODUCTION:** Specifies the purpose, DCFS and Probation Mission Statements, target demographics, and funding requirements of the Sample FCPS Master Contracts.
- **SECTION 2.0 - GENERAL INFORMATION:** Specifies the Prospective Contractor's minimum qualifications, provides information regarding target demographics and some of the requirements of the Sample FCPS Master Contracts and explains the solicitation process.
- **SECTION 3.0 - INSTRUCTIONS TO PROSPECTIVE CONTRACTORS:** Contains instructions to Prospective Contractors in how to prepare and submit their SOQ.
- **SECTION 4.0 - SOQ REVIEW, SELECTION AND QUALIFICATION PROCESS:** Explains how the SOQ will be reviewed, selected and qualified.
- **APPENDICES:**
 - **A - REQUIRED FORMS:** The forms contained in this section must be completed and included in the SOQ.

- **B - REQUIRED DOCUMENTS:** The documents listed in this section must be included in the SOQ.
- **B – I SAMPLE BOARD OF DIRECTOR RESOLUTION:** This is a sample document only. The Board Resolution must be prepared on the organization's letterhead.
- **B – II SAMPLE LAST PAGE OF SOQ:** This is a sample document only. The last page of the SOQ must be prepared on the organization's letterhead.
- **C - TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW:** The transmittal form in this section is to be sent to DCFS if requesting a Solicitation Requirements Review.
- **D - COUNTY OF LOS ANGELES POLICY ON DOING BUSINESS WITH SMALL BUSINESS**
- **E - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** The Contractors listed here are not allowed to contract with the County for a specific length of time.
- **F - SAMPLE FOSTER FAMILY AGENCY MASTER CONTRACT:** This is a sample of the Foster Family Agency Master Contract to be utilized for this solicitation. The terms and conditions shown in the Sample Master Contract are not negotiable.
- **F - I SAMPLE FOSTER FAMILY AGENCY MASTER CONTRACT EXHIBITS:** The exhibits listed here are referenced in Foster Family Agency Master Contract for this RFSQ.
- **G Intentionally Left Blank**
- **G – I Intentionally Left Blank**
- **H - SAMPLE SHORT-TERM RESIDENTIAL THERAPEUTIC PROGRAM MASTER CONTRACT:** This is a sample of the Short-Term Residential Therapeutic Program Master Contract to be utilized for this solicitation. The terms and conditions shown in the Sample Master Contract are not negotiable.
- **H - I SAMPLE SHORT-TERM RESIDENTIAL THERAPEUTIC PROGRAM MASTER CONTRACT EXHIBITS:** The exhibits listed here are referenced in Short-Term Residential Therapeutic Program Master Contract for this RFSQ.
- **I - Intentionally Left Blank**

- **I - I Intentionally Left Blank**
- **J - Intentionally Left Blank**
- **J - I Intentionally Left Blank**
- **K - BACKGROUND AND RESOURCES: CALIFORNIA CHARITIES REGULATION:** An information sheet intended to assist non-profit agencies with compliance with SB 1262 – the Nonprofit Integrity Act of 2004, and to identify available resources.
- **L - IRS NOTICE 1015:** This notice provides information on Federal Earned Income Credit.
- **M - SAFELY SURRENDERED BABY LAW**
- **N - JURY SERVICE ORDINANCE**
- **O - DEFAULTED PROPERTY TAX REDUCTION PROGRAM**
- **P - SAMPLE FORMAT TO SUBMIT WRITTEN QUESTIONS**
- **Q - ELECTRONIC PROGRAM STATEMENT SUBMISSION SYSTEM (e-PSSS) AGENCY USER GUIDE**

2.3 Terms and Definitions

Throughout this RFSQ, references are made to certain persons, groups, or departments, and agencies. A description of specific definitions can be found in Appendix F, H, I, and J, Sample FCPS Master Contracts, Part I, Section 2.0, Definitions.

2.4 Prospective Contractor's Minimum Qualifications

Interested and qualified Prospective Contractors who meet the following Minimum Qualifications are invited to submit an SOQ.

- 2.4.1 Prospective Contractor's proposed facility(ies) must be located within Los Angeles County or any of the contiguous counties which includes Kern, Orange, Riverside, San Bernardino, and Ventura counties.
- 2.4.2 Prospective Contractor must not have any substantiated non-compliance findings or outstanding Contractor Alert Reporting Database (CARD) findings related to any County, State, Federal,

or out-of-state government agency that remain unresolved. The Prospective Contractor must disclose any such non-compliance findings that can be construed as being unresolved in Appendix A, Required Forms, Form 11, Prospective Contractor's Involvement in Litigation and/or Contract Compliance Difficulties.

2.4.2.1 Prospective Contractor shall not be on "Do Not Use" or a "Hold" with an adverse status with Los Angeles County or any other county, State, or out-of-state government agency.

2.4.3 Prospective Contractor must be licensed by the CDSS Community Care Licensing Division (CCLD) for each program it is attempting to qualify for, and must provide a copy of the license for each program and each site.

2.4.3.1 Prospective Contractor who has STRTP facility(ies) licensed for over 16 beds, must work with CCLD to reduce their capacity to 16 beds or less. Prospective Contractor must provide a copy of the re-issued facility license(s) prior to the STRTP contract execution.

2.4.4 Prospective Contractor must hold an approved Rate from the CDSS Foster Care Rates Bureau for each program it is attempting to qualify, and must provide a copy of their Rate Notification letter for each program and each site.

2.4.5 Prospective Contractor must obtain program approval from County. Program approval consists of County's approval of the Prospective Contractor's Plan of Operation and Program Statement, review of open allegations and closed investigations up to two years, and a facility inspection.

2.4.6 Prospective Contractor must have the ability to draw down Medi-Cal funds for the purpose of providing specialty mental health services via a Legal Entity (LE) Master Contract with Los Angeles County Department of Mental Health (LACDMH). Prospective Contractor, who provides specialty mental health services, must provide a copy of their organization's LE Master Contract with LACDMH.

2.4.6.1 Prospective STRTP Contractor who does not currently hold a LE Master Contract with LACDMH, must provide a copy of the LE Master Contract within 18 months of the STRTP contract execution.

2.4.7 Prospective Contractor must be nationally accredited by The Joint Commission (JC), The Commission on Accreditation of

Rehabilitation Facilities (CARF), or The Council on Accreditation of Services for Families and Children (COA).

2.4.7.1 Prospective STRTP Contractor who does not hold national accreditation must obtain and provide proof of accreditation prior to the STRTP contract execution.

2.4.8 Prospective Contractor must be organized as a 501 (c)(3) non-profit tax exempt organization or entity.

2.4.9 Prospective Contractor must be in compliance with applicable laws and regulations pertaining to financial audits, including, but not limited to, the California Government Code Section 12586, the CDSS, Manual of Policies and Procedures, Division 11, Chapter 11-400, Section 11-405 et seq., and the Office of Management and Budget 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards and 2 CFR 1.100, Title 2, Part 1.

2.4.10 Prospective Contractor must demonstrate fiscal viability, based on Quick Ratio, Current Ratio, Expenses to Income Ratio, and Long Term Financial Viability Test, in accordance with Generally Accepted Accounting Principles (GAAP), through a review and evaluation of the organization's financial documents.

2.4.10.1 Organizations responding to this RFSQ are required to submit audited financial statements and single audits reflecting the three (3) most recent years for which the organization was required to conduct financial and single audits. Any organization that submits fewer than three (3) audited financial statements and single audits must indicate why they were exempt from the applicable audit requirements for each year that no audit was conducted.

2.4.10.2 Organizations that have less than three (3) audited financial statements and single audits may be considered for contracting and may be required to submit additional documents at County's request. Organizations that have not been required to undergo a financial and single audit under the applicable laws and regulations must submit a copy of their current and projected budgets, balance sheet, and profit and loss statement in accordance with GAAP.

2.5 Master Contract Process

The objective of this RFSQ process is to identify and select qualified licensed Prospective Contractors to be recommended as providers of Foster Care Placement Services.

- 2.5.1 Master Contracts will be executed with all licensed Prospective Contractors determined by the County to be qualified, responsive, and responsible.
- 2.5.2 Upon execution of a Contract resulting from this RFSQ, the qualified licensed Prospective Contractors will become **eligible** to provide FFA and STRTP services as outlined in respective services' Unique Attachments and Exhibits such as the Statement of Work (SOW) of this RFSQ. **The execution of a Contract does not guarantee Prospective Contractor placements of children, youth and NMDs supervised by DCFS or Probation.**

2.6 Contract Term

The term of the Contract awarded under this RFSQ shall be for the effective option period of this RFSQ and any remaining optional renewal period(s) through December 31, 2023, with the possibility to extend for additional years as necessary with approval from the CDSS.

2.7 County Rights and Responsibilities

The County has the right to amend the RFSQ by written addendum. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available to each person or organization which County records indicate has received this RFSQ. Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the SOQ not being considered, as determined in the sole discretion of the County. The County is not responsible for and shall not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf.

2.8 Contact with County Personnel

Any contact regarding this RFSQ or any matter relating thereto must be in writing and emailed as follows:

Jose Ramos, Contracts Assistant Manager
Department of Children and Family Services
Contracts Administration Division
425 Shatto Place, Room 401
Los Angeles, California 90020
Email: fcps@dcfs.lacounty.gov

If it is discovered that a Prospective Contractor or their representative contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County may disqualify Contractor's SOQ from further consideration.

2.9 Mandatory Requirement to Register on County's WebVen

Prior to executing a Master Contract, all potential Contractors must register on the County's WebVen. The WebVen contains the Prospective Contractor's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at <http://camisvr.co.la.ca.us/webven/>.

Prospective Contractors must, at a minimum, register on the County's Webven under Human Services: Family and Social Services, Code 95243; Foster Home and Adoption Services, Code 95247; and Youth Care Services, Code 95295.

2.10 County Option to Reject SOQs

The County may, at its sole discretion, reject any or all SOQs submitted in response to this solicitation. The County shall not be liable for any cost incurred by a Prospective Contractor in connection with preparation and submittal of any SOQ. The County reserves the right to waive inconsequential disparities in a submitted SOQ.

2.11 Protest Process

2.11.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any Prospective Contractor may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Sub-section 2.11, Protest Process, Paragraph 2.11.3 below. Additionally, any actual Prospective Contractor may request a review of a disqualification under such a solicitation, as described in the paragraphs below.

2.11.2 Throughout the review process, the County has no obligation to delay or otherwise postpone an award of contract based on a Prospective Contractor protest. In all cases, the County reserves the right to make an award when it is determined to be in the best interest of the County to do so.

2.11.3 Grounds for Review

Unless State or Federal statutes or regulations otherwise provide, the grounds for review of any Departmental determination or action should be limited to the following:

- Review of Solicitation Requirements Review (reference Section 3.0, Instructions to Prospective Contractors, Sub-section 3.4, Solicitation Requirements Review)
- Review of a Disqualified SOQ (reference Section 4.0, Review/Selection/Qualification Process, Sub-section 4.2, Disqualification Review)

2.12 Notice to Contractor's Regarding Public Records Act

- 2.12.1 Responses to this RFSQ shall become the exclusive property of the County. At such time as when DCFS recommends the qualified Prospective Contractor(s) to the Board and such recommendation appears on the Board agenda, all SOQs submitted in response to this RFSQ, become a matter of public record, with the exception of those parts of each SOQ which are justifiably defined and identified by the Prospective Contractor as business or trade secrets, and plainly marked as "Trade Secret," "Confidential," or "Proprietary."
- 2.12.2 The County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. **A blanket statement of confidentiality or the marking of each page of the SOQ as confidential shall not be deemed sufficient notice of exception. The Contractor must specifically label only those provisions of their respective SOQ which are "Trade Secrets," "Confidential," or "Proprietary" in nature.**

2.13 Indemnification and Insurance

Prospective Contractor shall be required to comply with the Indemnification provisions contained in Appendix F, H, I, and J, Sample FCPS Master Contracts, Part I, Section 27.0, Indemnification. Prospective Contractor shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Appendix F, H, I, and J, Sample FCPS Master Contracts, Part I, Section 5.0, General Insurance Requirements, Sub-sections 5.1 through 5.6.

2.14 Injury and Illness Prevention Program (IIPP)

Prospective Contractor shall be required to comply with the State of California's Occupational Safety and Health Administration (OSHA) regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective IIPP that addresses hazards pertaining to the particular workplace covered by the program.

2.15 Background and Security Investigations

Background and security investigations of Prospective Contractor's staff will be a condition of beginning and continuing work under any resulting Contract. The cost of background checks is the responsibility of the Prospective Contractor.

Prospective Contractor shall ensure that background checks, including criminal clearances with subsequent arrest notification have been conducted for all Contractor's staff and volunteers as well as all subcontractors' staff and volunteers, prior to beginning and continuing work under any resulting Contract (see Appendix F, H, I, and J, Sample FCPS Master Contracts, Part I, Section 8.0, Background and Security Investigations). The cost of the required background checks is the responsibility of the Contractor and subcontractors whether or not the Contractor's or subcontractor's staff pass or fail the background checks.

Prospective Contractor shall submit Required Form, Appendix A, Required Forms, Form 24, Contractor's Certification of Compliance with Background and Security Investigations, to certify that the organization shall comply with the Background and Security Investigations provisions as stated in Appendix F, H, I, and J, Sample FCPS Master Contracts, Part I, Section 8.0, Background and Security Investigations.

2.16 Confidentiality and Independent Contractor Status

As appropriate, Prospective Contractors shall be required to comply with the Confidentiality provision contained in Appendix F, H, I, and J, Sample FCPS Master Contracts, Part I, Section 10.0, Confidentiality, and the Independent Contractor Status provision contained in Appendix F, H, I, and J, Sample FCPS Master Contracts, Part II, Section 31.0, Subcontracting.

2.17 Conflict of Interest

No County employee whose position in the County enables him/her to influence the selection of a Prospective Contractor for this RFSQ, or any competing RFSQ, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Prospective Contractor or have any other direct or indirect financial interest in the selection of a Prospective Contractor. Prospective Contractor shall certify that he/she is

aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Appendix A, Required Forms, Form 2, Certification of No Conflict of Interest.

2.18 Determination of Contractor Responsiveness and Responsibility

2.18.1 Determination of Contractor Responsiveness

- 2.18.1.1 Pursuant to the CDSS Manual, Section 23-601.25, a “Responsive Contractor” means one whose SOQ substantially complies with all requirements of the RFSQ.
- 2.18.1.2 County will review and evaluate each SOQ to determine if the Prospective Contractor meets the Minimum Requirements. Prospective Contractors who do not meet the Minimum Requirements may be disqualified and their SOQ is eliminated from any further consideration.
- 2.18.1.3 County will evaluate each SOQ submitted to determine if the Prospective Contractor complies with the RFSQ format and submission requirements set forth in Section 3.0 of this RFSQ. The County, at its sole discretion, may accept an SOQ that substantially complies with the requirements in Section 3.0.

2.18.2 Determination of Contractor Responsibility

- 2.18.2.1 Section 23-601.24 of the CDSS Manual Pursuant to the CDSS Manual, 23-601.24; a “Responsible Contractor” means one who: 1) Possesses adequate financial resources, or the ability to obtain such resources as required during performance of the contract; 2) Has the ability to comply with the proposed delivery or performance schedule taking into consideration available expertise and any existing business commitments; 3) Has no record of unsatisfactory performance, lack of integrity or poor business ethics; and 4) Is otherwise qualified and eligible to receive an award under applicable statutes and regulations.
- 2.18.2.2 A responsible Contractor is a Contractor who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the contract. It is the County’s policy to conduct business only with responsible Contractors.

- 2.18.2.3 Prospective Contractors are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the Contractor is responsible based on a review of the Prospective Contractor's performance on any contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Prospective Contractor against public entities. Labor law violations which are the fault of the subcontractors and of which the Prospective Contractor had no knowledge shall not be the basis of a determination that the Prospective Contractor is not responsible.
- 2.18.2.4 The County may declare a Prospective Contractor to be non-responsible for purposes of this Master Contract if the Board, in its discretion, finds that the Prospective Contractor has done any of the following: 1) violated a term of a contract with the County or a nonprofit corporation created by the County; 2) committed an act or omission which negatively reflects on the Prospective Contractor's quality, fitness, or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; 3) committed an act or omission which indicates a lack of business integrity or business honesty; or 4) made or submitted a false claim against the County or any other public entity.
- 2.18.2.5 If there is evidence that the Prospective Contractor may not be responsible, the County shall notify the Contractor in writing of the evidence relating to the Prospective Contractor's responsibility, and its intention to recommend to the Board that the Prospective Contractor be found not responsible. The County shall provide the Prospective Contractor and/or the Prospective Contractor's representative with an opportunity to present evidence as to why the Prospective Contractor should be found to be responsible and to rebut evidence, which is the basis for the County's recommendation.
- 2.18.2.6 If the Prospective Contractor presents evidence in rebuttal to the County, the County shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board. The final decision concerning the responsibility of the Prospective Contractor shall reside with the Board.

2.18.2.7 These terms shall also apply to proposed subcontractors of Contractors on County contracts.

2.19 Contractor Debarment

- 2.19.1 The Prospective Contractor is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Prospective Contractor from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of the Prospective Contractor's existing contracts with County, if the Board finds, in its discretion, that the Prospective Contractor has done any of the following: 1) violated a term of a contract with the County or a nonprofit corporation created by the County; 2) committed an act or omission which negatively reflects on the Prospective Contractor's quality, fitness, or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; 3) committed an act or offense which indicates a lack of business integrity or business honesty; or 4) made or submitted a false claim against the County or any other public entity.
- 2.19.2 If there is evidence that the apparent highest ranked Prospective Contractor may be subject to debarment, the County shall notify the Prospective Contractor in writing of the evidence, which is the basis for the proposed debarment, and shall advise the Prospective Contractor of the scheduled date for a debarment hearing before the Contractor Hearing Board.
- 2.19.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Prospective Contractor and/or Prospective Contractor's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether the Prospective Contractor should be debarred, and, if so, the appropriate length of time of the debarment. The Prospective Contractor and the County shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board.
- 2.19.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision, and any other recommendation of the Contractor Hearing Board shall be presented to the Board. The Board shall have the right to modify,

deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.

- 2.19.5 If a Prospective Contractor has been debarred for a period longer than five (5) years, that Prospective Contractor may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the Prospective Contractor has adequately demonstrated one or more of the following: 1) elimination of the grounds for which the debarment was imposed; 2) a bona fide change in ownership or management; 3) material evidence discovered after debarment was imposed; or 4) any other reason that is in the best interests of the County.
- 2.19.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where: 1) the Prospective Contractor has been debarred for a period longer than five (5) years; 2) the debarment has been in effect for at least five (5) years; and 3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.
- 2.19.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board. The Board shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 2.19.8 These terms shall also apply to proposed subcontractors of Contractors on County contracts.
- 2.19.9 Appendix E, Listing of Contractors Debarred in Los Angeles County provides a link to the County's website where there is a listing of Contractors that are currently on the Debarment List for Los Angeles County.

2.20 Contractor's Adherence to County Child Support Compliance Program

Prospective Contractors shall: 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may cause for termination of a Master Contract or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202). Prospective Contractors must certify adherence to the County Child Support Compliance Program by completing Appendix A, Required Forms, Form 15, Contractor's Certification of Compliance With Child, Spousal, and Family Support Orders, and submitting it as part of their SOQ.

2.21 Gratuities

2.21.1 Attempt to Secure Favorable Treatment

It is improper for any County officer, employee, or agent to solicit consideration, in any form, from a Prospective Contractor with the implication, suggestion or statement that the Prospective Contractor's provision of the consideration may secure more favorable treatment for the Prospective Contractor in the award of a Master Contract or that the Prospective Contractor's failure to provide such consideration may negatively affect the County's consideration of the Prospective Contractor's submission. A Prospective Contractor shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee, or agent for the purpose of securing favorable treatment with respect to the award of a Master Contract.

2.21.2 Contractor Notification to County

A Prospective Contractor shall immediately report any attempt by a County officer, employee, or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in the Prospective Contractor's submission being eliminated from consideration.

2.21.3 Form of Improper Consideration

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

2.22 Notice to Contractors Regarding the County Lobbyist Ordinance

The Board has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the “Lobbyist Ordinance,” defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation, or other entity that seeks a County permit, license, franchise, or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Prospective Contractor to review the ordinance independently as the text of said ordinance is not contained within this RFSQ. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the Prospective Contractor is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is not on the Executive Office’s List of Terminated Registered Lobbyists by completing and submitting Appendix A, Required Forms, Form 4, Familiarity with the County Lobbyist Ordinance Certification, as part of their SOQ.

2.23 Federal Earned Income Credit

The Prospective Contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Appendix L, IRS Notice 1015.

2.24 Consideration of GAIN/GROW Participants for Employment

As a threshold requirement for consideration of a Master Contract, Prospective Contractors shall demonstrate a proven record of hiring participants in the County’s Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Prospective Contractors shall attest to a willingness to provide employed GAIN/GROW participants access to the Prospective Contractor’s employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Prospective Contractors who are unable to meet this

requirement shall not be considered for a Master Contract. Prospective Contractors shall complete and return the form, Attestation of Willingness to Consider GAIN/GROW Participants, as set forth in Appendix A, Required Forms, Form 7, as part of their SOQ.

2.25 County's Quality Assurance Plan

After award of a Master Contract, the County or its agent will monitor the Contractor's performance under the Master Contract on an annual basis. Such monitoring will include assessing Contractor's compliance with all terms and conditions in the Master Contract. Contractor's deficiencies which the County determines are significant or continuing and that may jeopardize performance of this Master Contract will be reported to the County's Board of Supervisors. The report will include improvement/corrective action measures taken by the County and Contractor. If improvement does not occur consistent with the corrective action measures, the County may terminate the Master Contract in whole or in part, or impose other penalties as specified in the Master Contract.

2.26 Recycled Bond Paper

The Prospective Contractor shall be required to comply with the County's policy on recycled bond paper as specified in Appendix F, Sample FCPS Master Contracts, Part II, Section 29.0, Recycled-Content Paper.

2.27 Safely Surrendered Baby Law

The Prospective Contractor shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, information regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The information is set forth in Appendix M (Safely Surrendered Baby Law) of this solicitation document. Additional information is available at www.babysafela.org.

2.28 County Policy on Doing Business with Small Business

2.28.1 The County has multiple programs that address small businesses. The Board encourages small business participation in the County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.

2.28.2 The Jury Service Program provides exceptions to the Program if a company qualifies as a Small Business. It is important to note that each Program has a different definition for Small Business. You may qualify as a Small Business in one Program but not the other.

Further explanation of the Jury Service Program is provided in Sub-section 2.29, Jury Service Program, of this Section.

- 2.28.3 The County also has a Policy on Doing Business with Small Business that is stated in Appendix D, County of Los Angeles Policy on Doing Business with Small Business.

2.29 Jury Service Program

The prospective contract is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read the Jury Service Ordinance, Appendix N, and the pertinent jury service provisions of Appendix F, H, I, and J, Sample FCPS Master Contracts, Part II, Section 10.0, Compliance with Jury Service Program, Sub-section 10.1, both of which are incorporated by reference into and made a part of this RFSQ. The Jury Service Program applies to both Prospective Contractors and their subcontractors. SOQs that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 2.29.1 The Jury Service Program requires Prospective Contractors and their subcontractors to have and adhere to a written policy that provides that its employees shall receive from the Prospective Contractor, on an annual basis, no less than five (5) days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Prospective Contractor or that the Prospective Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means forty (40) hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County; or 2) the Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Prospective Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of ninety (90) days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.
- 2.29.2 There are two (2) ways in which a Prospective Contractor might not be subject to the Jury Service Program. The first is if the Prospective Contractor does not fall within the Jury Service Program's definition of "Contractor." The Jury Service Program defines "Contractor" to mean a person, partnership, corporation of other entity which has a contract with the County or a Subcontract

with a County Contractor and has received or will receive an aggregate sum of \$50,000 or more in any 12-month period under one or more County contracts or subcontracts. The second is if the Prospective Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Prospective Contractors that have: 1) ten (10) or fewer employees; and 2) annual gross revenues in the preceding twelve (12) months which, if added to the annual amount of this contract is less than \$500,000; and 3) is not an “affiliate or subsidiary of a business dominant in its field of operation”. The second exception applies to Prospective Contractors that possess a collective bargaining Contract that expressly supersedes the provisions of the Jury Service Program. The Prospective Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

- 2.29.3 If a Prospective Contractor does not fall within the Jury Service Program’s definition of “Contractor” or if it meets any of the exceptions to the Jury Service Program, then the Prospective Contractor must so indicate in the County of Los Angeles Contractor Employee Jury Service Program Certification and Application for Exception, as set forth in Appendix A, Required Forms, Form 8, and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the Prospective Contractor’s application, the County will determine, in its sole discretion, whether the Prospective Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County’s decision will be final.

2.30 Notification to County of Pending Acquisitions/Mergers by Proposing Company

The Prospective Contractor shall notify the County of any pending acquisitions/mergers of their company. This information shall be provided by the Contractor in Appendix A, Required Forms, Form 1, Prospective Contractor’s Organization Questionnaire/Affidavit. Failure of the Prospective Contractor to provide this information may eliminate its SOQ from any further consideration.

2.31 Contractor’s Charitable Contributions Compliance

- 2.31.1 California’s “Supervision of Trustees and Fundraisers for Charitable Purposes Act” regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act

requirements. Prospective Contractors should carefully read Appendix K, Background and Resources: California Charities Regulations. New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices, and documentation. Charities with over \$2 million of revenues (excluding funds that must be accounted for to a governmental entity) have new audit requirements.

2.31.2 All Prospective Contractors must determine if they receive or raise charitable contributions, which subject them to the Charitable Purposes Act and complete Appendix A, Required Forms, Form 9, Charitable Contributions Certification. A completed Form 9 is a required part of any Contract with the County.

2.31.3 In Form 9, Charitable Contributions Certification, Prospective Contractors certify either that:

1. they have determined that they do not now receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County Contract, **OR**
2. they are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.

2.31.4 Prospective County contractors that do not complete Appendix A, Required Forms, Form 9, Charitable Contributions Certification, as part of the solicitation process may, in the County's sole discretion, be disqualified from contract award. A County contractor that fails to comply with its obligations under the Charitable Purposes Act is subject to either contract termination or debarment proceedings or both (County Code Chapter 2.202).

2.32 Defaulted Property Tax Reduction Program

The prospective contract is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program") (Los Angeles County Code, Chapter 2.206). Prospective Contractors should carefully read the Defaulted Tax Program Ordinance, Appendix O, Defaulted Property Tax Reduction Program, and the pertinent defaulted tax program provisions of the Appendix F, H, I, and J, Sample FCPS Master Contracts, Part II, Section 37.0, Contractor's Warranty of Compliance with County's Defaulted Property Tax Reduction Program, Sub-sections 37.1

through 37.2, both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their subcontractors.

Prospective Contractors shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Appendix A, Required Forms, Form 22, Certification of Compliance with the County's Defaulted Property Tax Reduction Program. Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliance contractor (Los Angeles County Code, Chapter 2.202).

SOQs that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

2.33 Time Off for Voting

Prospective Contractor shall notify its employees, and shall require each subcontractor to notify and provide to its employees, information regarding the time off for voting law (Elections Code Section 14000). Not less than 10 days before every statewide election, every Prospective Contractor and subcontractors shall keep posted conspicuously at the place of work, if practicable, or elsewhere where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of Section 14000.

2.34 Mandatory Requirement to Register on Federal System for Award Management (SAM)

CONTRACTOR represents and warrants that it has registered in the Federal SAM. Prior to a contract award, all potential contractors must register in SAM. Registration can be accomplished online via the Internet by accessing the Federal Contractor Registry's home page at <https://sam.gov/content/entity-registration>.

2.35 Certification Regarding Debarment and Suspension from Federal Financial Assistance Programs

Prospective Contractor shall certify on Certification Regarding Debarment and Suspension from Federal Financial Assistance Programs, Appendix A, Required Forms, Form 26, Federal Debarment and Suspension Certification that to the best of its knowledge and belief, its and its principals or Affiliates or any subcontractor utilized under this contract are not debarred or suspended from federal financial assistance programs and

activities, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any federal department or agency.

2.36 Contractor's Compliance with Encryption Requirements

(Protection of Electronic County Personal Information (PI), Protective Health Information (PHI), and Medical Information (MI) - Data Encryption Standard)

Prospective contract is subject to the encryption requirements set forth below (collectively, the "Encryption Standards").

2.36.1 Prospective Contractors shall become familiar with the Encryption Standards and the pertinent provisions of Appendix F, H, I, and J Sample FCPS Master Contracts, Part II, Section 41.0, Compliance with Encryption Requirements, both of which are incorporated by reference into and made a part of this solicitation.

2.36.2 Prospective Contractors shall be required to complete Appendix A, Required Forms, Form 27, Contractor's Compliance with Encryption Requirements, providing information about their encryption practices and certifying that they will be in compliance with the Encryption Standards at the commencement of the contract and during the term of any contract that may be awarded pursuant to this solicitation. Prospective Contractors that fail to comply with the certification requirements of this provision will be considered non-responsive and excluded from further consideration.

2.36.3 Prospective Contractors' use of remote servers (e.g. cloud storage, Software-as-a-Service or SaaS) for storage of County PI, PHI and/or MI shall be disclosed by Prospective Contractors in, Appendix A, Required Forms, Form 27, Contractor's Compliance with Encryption Requirements, and shall be subject to written pre-approval by the County's Chief Executive Office. Any use of remote servers may subject the Prospective Contractors to additional encryption requirements for such remote servers.

2.36.4 Encryption Standards

Stored Data

Prospective Contractors' and subcontractors' workstations and portable devices (e.g., mobile, wearables, tablets, thumb drives, and external hard drives) shall require encryption (i.e. software and/or hardware) in accordance with:

- a) Federal Information Processing Standard Publication (FIPS) 140-2;
- b) National Institute of Standards and Technology (NIST) Special Publication 800-57 Recommendation for Key Management – Part 1: General (Revision 3);
- c) NIST Special Publication 800-57 Recommendation for Key Management - Part 2: Best Practices for Key Management Organization; and
- d) NIST Special Publication 800-111 Guide to Storage Encryption Technologies for End User Devices.

Advanced Encryption Standard (AES) with cipher strength of 256-bit is minimally required.

Transmitted Data

All transmitted (e.g. network) County PI, PHI, and/or MI shall require encryption in accordance with:

- a) NIST Special Publication 800-52 Guidelines for the Selection and Use of Transport Layer Security Implementations; and
- b) NIST Special Publication 800-57 Recommendation for Key Management- Part 3: Application-Specific Key Management Guidance.

Secure Sockets Layer (SSL) is minimally required with minimum cipher strength of 128-bit.

2.37 Contractor's Acknowledgement of County's Commitment to Zero Tolerance Human Trafficking

On October 4, 2016, the County Board approved a motion taking significant steps to protect victims of human trafficking by establishing a zero tolerance human trafficking policy. The policy prohibits Contractors engaged in human trafficking from receiving contract awards or performing services under a County contract.

Contractors are required to complete Appendix A, Required Forms, Form 28, Zero Tolerance Human Trafficking Policy Certification, certifying that they are in full compliance with the County's Zero Tolerance Human Trafficking provision as defined in Appendix F, H, I, and J, Sample FCPS Master Contracts, Part II, Section 42.0, Compliance with County's Zero Tolerance Policy on Human Trafficking. Further, contractors are required to comply with the requirements under said provision for the term of any Master Contract awarded pursuant to this solicitation.

3.0 INSTRUCTIONS TO PROSPECTIVE CONTRACTORS

This Section contains key project dates and activities as well as instructions to Prospective Contractors in how to prepare and submit their SOQ.

3.1 County Responsibility

The County is not responsible for representations made by any of its officers or employees prior to the execution of the Master Contract unless such understanding or representation is included in the Master Contract.

Any change to this RFSQ will be made by addendum. All addenda will be posted on both the DCFS Website at <http://contracts.dcms.lacounty.gov/>, and the County's Website at <http://camisvr.co.la.ca.us/lacobids/BidLookUp/BidOpenStart.asp>. County is not responsible for any other explanation or interpretation.

3.2 Precautions Regarding SOQ Submission/Truth and Accuracy of Representations

- 3.2.1 Prospective Contractors should carefully review this RFSQ and all attachments for comments, questions, defects, objections, or any other matter regarding clarification or correction (collectively called "questions"). Questions concerning the RFSQ shall be presented pursuant to Sub-sections 3.5 and 3.6 below.
- 3.2.2 It is essential that each Prospective Contractor comply with the instructions of this RFSQ. Prospective Contractors are advised that County's contracting procedures, including, but not limited to, the preparation of solicitations, are complex.
- 3.2.3 Submission of an SOQ shall constitute acknowledgment and acceptance of all of the terms and conditions in the RFSQ and its attachments, except as to those, which have been expressly excepted. Protests based on any perceived fault in the RFSQ and its attachments shall be considered waived and invalid if not brought to the attention of County at the Prospective Contractor's Conference.
- 3.2.4 False, misleading, incomplete, or deceptively unresponsive statements in connection with an SOQ shall be sufficient cause for rejection of the SOQ. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final.

3.3 RFSQ Timetable

RFSQ Release and Initial SOQ Submission Review Period is as follows:

- Release of RFSQ: August 9, 2021
- Request for a Solicitation Requirements Review: due on August 16, 2021
- Responses to Solicitation Requirements Review: will be posted on or about August 23, 2021
- Written Questions (optional): due on September 6, 2021
- Prospective Contractors' Conference (optional): September 9, 2021
- Questions and Answers Released on or about September 13, 2021
- SOQ submission period opens at 8:00 AM, September 14, 2021
- **SOQ due by 5:00 PM Pacific Standard Time, October 12, 2021**
- Notice of Tentative Selection: on or about November 29, 2021
- Tentative Contracts Start Date: January 1, 2022

Reminder

The submission for the Plan of Operation and Program Statement is due no later than **October 12, 2021, at 5:00 PM**, Pacific Standard Time via DCFS' e-PSSS website at <https://myapps.dcfs.lacounty.gov/epsss.html>. Refer to Section 3.8, SOQ and Plan of Operation and Program Statement Submission and Appendix Q, Electronic Program Statement Submission System (e-PSSS) Agency User Guide for instructions.

3.3.1 Subsequent Periods for SOQ Submission and Review

After the initial contract start date, additional periods for submitting SOQs may be available. County reserves the right, at its sole discretion, to adjust the schedule for subsequent periods of SOQ submission, based on the needs of the County and to cancel subsequent submission periods if no additional placement resources are needed.

Notification of the specifics regarding the deadline for submission, submission of recommendations for contracts to the County's Board, and anticipated contract start dates with regard to the subsequent submission periods shall be posted as an addendum to the RFSQ on County's Website at <http://camisvr.co.la.ca.us/lacobids/BidLookUp/BidOpenStart.asp>, and DCFS Website at <http://contracts.dcfs.lacounty.gov/>.

3.4 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting Appendix C, Transmittal Form to Request a Solicitation

Requirements Review to the Department conducting the solicitation as described in this Section. A request for a Solicitation Requirements Review may be denied, in the County's sole discretion, if the request does not satisfy all of the following criteria:

- The request for a Solicitation Requirements Review is received by the County by **5:00 PM, August 16, 2021**;
- The Request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit an SOQ;
- The Request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
- The Request for a Solicitation Requirements Review asserts either that:
 - application of the minimum requirements, review criteria, and/or business requirements unfairly disadvantage the Prospective Contractor; or,
 - due to unclear instructions, the process may result in the County not receiving the best possible responses from the Prospective Contractors.

The Request for Solicitation Requirements Review shall be completed and the County's determination shall be provided to the Prospective Contractor, in writing, within a reasonable time prior to the SOQ due date.

All Requests for Solicitation Requirements Review shall be submitted via email with the email subject: Solicitation Requirements Review to:

Eddie Ota, Contracts Section Manager
Department of Children and Family Services
Contracts Administration Division
Email Address: fcps@dcfs.lacounty.gov
Email Subject: Solicitation Requirements Review

3.5 Prospective Contractors' Questions

Prospective Contractor may submit written questions regarding this RFSQ by electronic mail (email) to the person and format identified below. All written questions must be received by the date and time specified in Sub-section 3.3, RFSQ Timetable. No questions will be accepted after this date and time.

When submitting questions please use email subject: Prospective Contractor Questions, specify the RFSQ section number, paragraph number, and page number and quote the passage in the RFSQ that prompted the question. Also provide Prospective Contractor contact information with correct email address.

A sample format to use for submitting question is provided in Appendix P, Sample Format to Submit Written Questions (Prospective Contractor may duplicate the format provided in Appendix P). County reserves the right to group similar questions when providing answers.

Questions about the RFSQ, the master contract, or its SOW will not be accepted after the date and time specified in Sub-section 3.3, RFSQ Timetable.

Following the conference, all questions, without identifying the submitting firm, will be compiled with the appropriate answers and issued as an addendum to this RFSQ. This addendum will be posted in the Los Angeles County Purchasing and Contracts website, <http://camisvr.co.la.ca.us/lacobids/BidLookUp/BidOpenStart.asp>, and DCFS' website, <http://contracts.dcfs.lacounty.gov/>. The County reserves the right to group similar questions when providing answers.

To ensure receipt of any addenda, Prospective Contractors are encouraged to register for the Prospective Contractors' Conference, and provide contact information with their correct email address.

Questions may address concerns that the application of minimum requirements, evaluation criteria, and/or business requirements would unfairly disadvantage Prospective Contractors or, due to unclear instructions, may result in the County not receiving the best possible responses from Prospective Contractor.

Prospective contractors' written questions regarding this RFSQ should only be addressed to:

Name: Jose Ramos, Contracts Assistant Manager
Email Address: fcps@dcfs.lacounty.gov
Email Subject: Prospective Contractor Questions

3.6 Prospective Contractors' Conference

A Prospective Contractors' Conference will be held to discuss the RFSQ. The conference is optional for Prospective Contractors; however, attendance is highly recommended. It is also recommended that Prospective Contractors have a copy of the RFSQ to reference while participating in the conference. County staff will respond to questions from Prospective Contractors if the answer is available and County staff will request unanswered question(s) are

written down and sent to the email address above for further research and clarification. The conference is scheduled as follows:

Date: **September 9, 2021**
Time: 9:30 AM to 11:30 AM for FFA Services
1:00 PM to 3:00 PM for STRTP Services

The Conference will be held via teleconference line or a virtual meeting. Prospective Contractor that want to participate in the Conference **must register by 5pm on September 7, 2021** by sending an email to fcps@dcfs.lacounty.gov with the information listed below. The County will provide the Conference Information to registered Prospective Contractor Representative(s).

To register for the Conference provide all the following information in an email by **5pm on September 7, 2021**:

- Email Subject: Register for Prospective Contractors' Conference – RFSQ CMS-17-0016/0017
- Name of Organization
- Name of Prospective Contractor Representative(s) and title
- Email and telephone number

3.7 Preparation and Format of the SOQ

The contents and sequence of the documents that make up a complete Statement of Qualification (SOQ) are listed below and must be labeled clearly with different sections, page numbers and submitted in the following order:

Table of Contents

Section A - Contractor's Organization Questionnaire/Affidavit – Form
Section B - Required Forms – Forms 2 through 28
Section C - Required Documents
Section D - Last Page of SOQ

The SOQ must be bound and submitted in the prescribed format as discussed and described in Sub-section 3.8, SOQ and Plan of Operation and Program Statement Submission, Paragraph 3.8.1 of the RFSQ. ***Any SOQ that deviates from this format may be rejected without review at the County's sole discretion.***

3.7.1 Language

The SOQ and all documents submitted in connection with this RFSQ shall be written in English.

3.7.2 Table of Contents

The Table of Contents must be a comprehensive listing of material included in the SOQ. The Table of Contents must identify the various sections and include the materials included under each section, and identify the page numbers.

3.7.3 Required Form (Section A)

Prospective Contractor must fill out, sign and date all forms indicated in Appendix A of this RFSQ. The person signing the forms must be authorized to sign on behalf of the Prospective Contractor and authorized to bind the Prospective Contractor in a Master Contract.

Form 1 Contractor's Organization Questionnaire/Affidavit

3.7.4 Required Forms (Section B)

Prospective Contractor must fill out, sign and date all forms.

Form 2 Certification of No Conflict of Interest

Form 3 Prospective Contractor's Equal Employment Opportunity Certification

Form 4 Familiarity with the County Lobbyist Ordinance Certification

Form 5 Prospective Contractor's List of Contracts

Form 6 Prospective Contractor's List of Terminated Contracts

Form 7 Attestation of Willingness to Consider GAIN/GROW Participants

Form 8 County of Los Angeles Contractor Employee Jury Service Program Certification and Application for Exception

Form 9 Charitable Contributions Certification

Form 10 Offer to Perform All Required Services and Acceptance of Master Contract Terms and Conditions

Form 11 Prospective Contractor's Involvement in Litigation and/or Contract Compliance Difficulties

Form 12 Certification of Fiscal Compliance

Form 13 Certification of Ownership and Financial Interest

Form 14 Revenue Disclosures

Form 15 Contractor's Certification of Compliance with Child, Spousal, and Family Support Orders

Form 16 Contractor's Certification of Compliance with all Federal and State Employment Reporting Requirements

<i>Form 17</i>	<i>Resource Family Parent Acknowledgment and Confidentiality Agreement (if applicable)</i>
<i>Form 18</i>	<i>Contractor Acknowledgement and Confidentiality Agreement</i>
<i>Form 18(B)</i>	<i>Contractor Employee Acknowledgement and Confidentiality Agreement</i>
<i>Form 19</i>	<i>List of Names of Current Members of Board of Directors and Other Agencies (if applicable)</i>
<i>Form 20</i>	<i>Service Delivery Sites</i>
<i>Form 21</i>	<i>Contractor's Administration</i>
<i>Form 22</i>	<i>Certification of Compliance with the County's Defaulted Property Tax Reduction Program</i>
<i>Form 23</i>	<i>Confidentiality of Criminal Offender Record Information (CORI)</i>
<i>Form 24</i>	<i>Contractor's Certification of Compliance with Background and Security Investigations</i>
<i>Form 25</i>	<i>County's Administration</i>
<i>Form 26</i>	<i>Federal Debarment and Suspension Certification</i>
<i>Form 27</i>	<i>Contractor's Compliance with Encryption Requirements</i>
<i>Form 28</i>	<i>Zero Tolerance Human Trafficking Policy Certification</i>

3.7.5 Required Documents (Section C)

Prospective Contractor must submit the following required documents as indicated in Appendix B of this RFSQ.

- C1. Board of Directors Resolution – The resolution shall be prepared on the organization's letterhead, and sealed with the Corporate Seal (reference Appendix B-I, Sample Board of Directors Resolution).
- C2. A copy of the organization's Internal Revenue Service (IRS) 501 (c)(3) Nonprofit Corporation Status Letter.
- C3. A copy of the Organization's State of California Franchise Tax Board nonprofit determination letter.
- C4. **Certified** copy of the current California Secretary of State Statement of Information for their non-profit organization.
- C5. The organization's Aid to Families with Dependent Children-Foster Care (AFDC-FC) Rate Letter from the State Foster Care Funding and Rates Bureau in accordance with the new rate structure as established by AB-403 (Continuum of Care Reform). If the organization's name and/or address does not match the California Secretary of State Statement of Information, the organization must additionally provide a copy of the letter from the CDSS Foster Care Funding and Rates Bureau

- acknowledging the change in the organization's name and/or address.
- C6. Copies of the CCLD license for each facility covered by this Contract.
 - C7. A copy of the organization's current budget.
 - C8. Copies of the organization's most current and prior two audited Financial Statements. Organizations that have not been required to undergo a financial and single audit under the applicable laws and regulations must submit a copy of their current budget, balance sheet, and profit and loss statement in accordance with Generally Accepted Accounting Principles (GAAP).
 - C9. Copy of the organization's current IRS Form 941 – Employer's Quarterly Federal Tax Return and Employment Development Department Quarterly Contribution Return and Report of Wages - Form DE-9 filings (Transcripts).
 - C10. Proof of insurability that meets all insurance requirements set forth in the Sample FCPS Master Contracts, Part I, Section 6.0, Insurance Coverage Requirements. If a Prospective Contractor does not currently have the required coverage, a letter from a qualified insurance carrier indicating a willingness to provide the required coverage should the Prospective Contractor be selected to receive a Master Contract award may be submitted with the SOQ.
(Prior to execution of a Master Contract, Prospective Contractor must be compliant with the Contract insurance requirements).
 - C11. Prospective Contractor shall submit their current Plan of Operation and Program Statement for each program via DCFS Electronic Program Statement Submission System (e-PSSS) website at <https://myapps.dcfs.lacounty.gov/epsss.html>.
 - C12. Proof of National Accreditation
 - C13. A copy of the Prospective Contractor's Articles of Incorporation, and any and all amendments.
 - C14. **For FFA Program**, a copy of the Contractor's Resource Family Approval (RFA) Implementation Plan Letter issued by the California Department of Social Services (CDSS) Community Care Licensing Division (CCLD). If the Prospective Contractor has a CCLD RFA Implementation Plan Letter which includes a Memorandum of Understanding (MOU) for adoption services from another FFA with an Adoption License, please include a complete copy of the executed MOU.
 - C15. Intentionally Left Blank
 - C16. For FFA Program, a copy of the CCLD Approval Letter of the Plan of Operation and Program Statement. (This is the

CDSS approval letter and not the actual Plan of Operation and Program Statement that should be submitted via e-PSSS website)

C17. For STRTP, a copy of the organization's LE with DMH.

C18. A copy of the CDSS approved Personnel Report – Form LIC 500.

3.7.6 Last Page of the SOQ (Section D)

Prospective Contractor must submit the following required documents as indicated in Appendix B-II of this RFSQ.

The last page of the SOQ must list names of all persons having any right or interest in this Contract or the proceeds thereof. The page must include the signature of the person(s) authorized to bind the Prospective Contractor in a Contract (reference Appendix B-II, Sample Last Page of SOQ).

3.8 SOQ and Plan of Operation and Program Statement Submission

3.8.1 The complete original SOQ and two (2) copies labeled as Copy #1 and Copy #2, of the complete SOQ shall be submitted. The original SOQ shall be typewritten or word-processed with a one (1) inch margin on all sides on 8-1/2" x 11" white bond paper. Each SOQ (including copies) shall be placed in separate three-ring binders for a total of three (3), three-ring binders. Each binder shall have tabs for each section letter of the SOQ. SOQs and all documents submitted in connection with this RFSQ shall be securely bound in a three-ring binder which can be easily opened and closed, for the removal of material by County, identified by Prospective Contractor as "Trade Secrets", "Confidential", or "Proprietary". No paper clipped, stapled, or rubber banded documents shall be accepted. All SOQ pages shall be clearly and consecutively numbered. The original SOQ binder and the two (2) copies shall be clearly labeled with the name, address, and email address of the Prospective Contractor.

The complete copy of the Plan of Operation and Program Statement for each FFA and STRTP program shall be submitted via DCFS e-PSSS website at <https://myapps.dcfs.lacounty.gov/epsss.html> by no later than **October 12, 2021, at 5:00 PM**, Pacific Standard Time. No Plan of Operation and Program Statement hard copies will be accepted after this due date. Please read Appendix Q, Electronic Program Statement Submission System (e-PSSS) Agency User Guide thoroughly to learn how to register and use e-PSSS.

3.8.1.1 The binder of the ORIGINAL SOQ shall be clearly identified as the ORIGINAL SOQ and shall contain all required forms, documents, letters, and statements with original signatures in **blue ink**. The binders of the SOQ copies shall be clearly identified as copies.

3.8.1.2 All three (3) SOQs with the ORIGINAL SOQ readily accessible, shall be placed in plain sturdy cardboard boxes, which are sealed and can be easily stacked and lifted. The boxes shall be clearly labeled with the name and address of the Prospective Contractor and bear the words: **“Foster Care Placement Services (FFA/STRTP) RFSQ #CMS-17-0016/0017.”**

The SOQ and any related information shall be delivered or mailed to:

County of Los Angeles
Department of Children and Family Services
Foster Care Placement Services
RFSQ #CMS-17-0016/0017
Contracts Administration Division
425 Shatto Place, Room 400
Los Angeles, California 90020

3.8.2 Each Prospective Contractor agrees to provide County with an explanation of any information provided in its SOQ, which County may in its sole discretion, deem necessary for an accurate determination of Prospective Contractor's qualifications.

3.8.3 Prospective Contractor shall respond only to the RFSQ as it is written, including any written addenda. Prospective Contractor is not to attach any documentation, which is not required or requested in this RFSQ. Failure to adhere to the specifications contained in this RFSQ may be the cause for rejection of the SOQ.

3.8.4 The deadline for submission of the SOQ is **5:00 PM Pacific Standard Time, October 12, 2021**. It is the sole responsibility of the submitting Prospective Contractor to ensure that its SOQ is received before the submission deadline. Submitting Prospective Contractors shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. No facsimile (fax) or electronic mail (email) copies will be accepted. SOQs received after the submission deadline will be returned unopened.

- 3.8.5 Please refer to Sub-section 3.3, RFSQ Timetable, Paragraph 3.3.1 for information regarding subsequent submission periods.

3.9 Acceptance of Terms and Conditions of Master Contract

Prospective Contractors understand and agree that submission of the SOQ constitutes acknowledgment and acceptance of, and a willingness to comply with, all terms and conditions of the Appendix F, G, H, I, J, and applicable sample Master Contracts.

3.10 SOQ Withdrawals

The Prospective Contractor may withdraw its SOQ at any time prior to the date and time which is set forth herein as the deadline for acceptance of SOQ, upon written request from the authorized signatory for the Prospective Contractor. The written request shall be submitted via email with the email subject: SOQ Withdrawal to:

Eddie Ota, Contracts Section Manager
Department of Children and Family Services
Contracts Administration Division
Email Address: fcps@dcfs.lacounty.gov
Email Subject: SOQ Withdrawal

4.0 SOQ REVIEW/SELECTION/QUALIFICATION PROCESS

4.1 Review Process

SOQ will be subject to a detailed review by qualified County staff. The review process will include the following steps:

4.1.1 Adherence to Minimum Qualifications

County shall review Appendix A, Required Forms, Form 1, Prospective Contractor's Organization Questionnaire/Affidavit and verify the information provided to determine if the Prospective Contractor meets the minimum qualifications as outlined in Sub-section 2.4, Prospective Contractor's Minimum Qualifications of this RFSQ.

Failure of the Prospective Contractor to comply with the minimum qualifications will eliminate its SOQ from any further consideration.

4.1.2 Contractor's Organization Questionnaire/Affidavit (Section A)

In addition to the review of Appendix A, Required Forms, Form 1, Prospective Contractor's Organization Questionnaire/Affidavit, County review shall include:

- A review of County's Contract Database and Contractor Alert Reporting Database reflecting Prospective Contractor's past performance history on County or other contracts, a review of terminated contracts, and a review of Contractor's registration on System for Award Management (SAM) – official website of the U.S. government.
- A review to determine the magnitude of any pending litigation or judgements against the Prospective Contractor as provided in Appendix A, Required Forms, Form 11, Prospective Contractor's Involvement in Litigation and/or Contract Compliance Difficulties.
- A review of Prospective Contractor's Audited Financial Statement/Balance Sheet and Profit and Loss Statement to demonstrate organization's fiscal viability.

4.1.3 **Required Forms (Section B)**

County shall review all forms listed in Sub-section 3.7, Preparation and Format of the SOQ, Paragraph 3.7.4, Required Forms. All forms listed in Paragraph 3.7.4.1 must be included in **Section B** of the SOQ.

4.1.4 **Required Documents (Section C)**

County shall review all documents listed in Sub-section 3.7, Preparation and Format of the SOQ, Paragraph 3.7.5, Required Documents. All documents listed in Paragraph 3.7.5 must be included in **Section C** of the SOQ.

4.1.5 **Last Page of SOQ (Section D)**

The Last Page of the SOQ listed in Sub-section 3.7, Preparation and Format of the SOQ, Paragraph 3.7.6, Last Page of the SOQ must be included in **Section D** of the SOQ (reference Appendix B-II, Sample Last Page of SOQ)

4.2 **Disqualification Review**

An SOQ may be disqualified from consideration because DCFS determined it is non-responsive or does not meet minimum requirements at any time

during the review/evaluation process. If DCFS determines that an SOQ is disqualified, DCFS shall notify the Prospective Contractor in writing.

Upon receipt of the written determination of non-responsiveness or the SOQ does not meet minimum requirements the Prospective Contractor may submit a written request for a Disqualification Review within the timeframe specified in the written determination.

A request for a Disqualification Review may at DCFS's sole discretion be denied if the request does not satisfy all of the following criteria:

- A. The person or entity requesting a Disqualification Review is a Contractor;
- B. The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and,
- C. The request for a Disqualification Review asserts that DCFS's determination of disqualification due to SOQ non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and DCFS' determination shall be provided to the prospective Contractor in writing.

4.3 Selection/Qualification Process

The County will generally select Prospective Contractors that have experience in providing a broad range of foster care services. However, in order to ensure that the County has at its disposal a varied pool of qualified Prospective Contractors, the County may offer Master Contracts to Prospective Contractors that offer a narrow scope of services in more highly specialized areas upon DCFS and Probation site visitation and approval.

4.4 Master Contract Award

Prospective Contractors who are notified by the County that they appear to have the minimum qualifications and experience (i.e., they are qualified) may still not be recommended for a Master Contract, if other requirements necessary for award have not been met. Other requirements may include, but are not limited to, full compliance with AB-403 (Continuum of Care Reform), acceptance of the terms and conditions of the Master Contract, and/or satisfactory documentation that required insurance will be obtained, and/or successful completion of the responsiveness and responsibility review in accordance with the County's Fiscal Manual. **Prospective Contractors must meet all the minimum qualifications and requirements by Friday,**

December 31, 2021. No Master Contract shall be executed until the Prospective Contractor's Program Statement and Plan of Operation has been approved by the COUNTY.

Only when all such matters have been demonstrated to the Department's satisfaction can a Prospective Contractor, which is otherwise deemed qualified, be regarded as "selected" for recommendation of a Master Contract.

The County will execute Board-authorized Master Contracts with each selected Prospective Contractor. All Prospective Contractors will be informed of the final selections. **The execution of a Contract does not guarantee Prospective Contractor placements of children, youth and NMDs supervised by DCFS and/or Probation.**